



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the 16th November 2019 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 7 OF 2019.

An Ordinance further to amend the Tamil Nadu Panchayats Act, 1994.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the Tamil Nadu Panchayats (Fourth Amendment) Ordinance, 2019. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act
21 of 1994.

2. In section 53 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), in clause (b), after the expression “as a member of the panchayat union council”, the expression “or on being elected as chairman of the panchayat union council” shall be inserted. Amendment of section 53.

3. After section 57 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 57-A.

“57-A. Voting machine at elections.— Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes by voting machines may be adopted in such ward or wards of a village panchayat, panchayat union or district panchayat and for election of president of such village panchayat or village panchayats as the State Election Commission may, having regard to the circumstances of each case, specify.

Explanation.— For the purpose of this section, “voting machine” means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.”.

16th November 2019.

BANWARILAL PUROHIT,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

The Tamil Nadu State Election Commission has suggested to make suitable provisions in the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) so as to facilitate the use of Electronic Voting Machines (EVMs) in the elections to rural local bodies on the lines of the provisions contained in the laws relating to the Town Panchayats, Municipalities and Municipal Corporations.

2. Further, as there is no provision in the said Tamil Nadu Act 21 of 1994 for the cessation of the office of the Vice-Chairman of Panchayat Union or District Panchayat, on being elected as Chairman of Panchayat Union or District Panchayat, as the case may be, in any casual vacancy, the said Commission has also suggested to amend section 53 of the said Act for the said purpose.

3. The Government, after careful consideration, have decided to accept the aforesaid suggestions of the Tamil Nadu State Election Commission and to amend the said Tamil Nadu Act 21 of 1994, suitably.

4. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

C. GOPI RAVIKUMAR,
*Secretary to Government (FAC),
Law Department.*